

AMENDED IN ASSEMBLY JUNE 2, 2015

AMENDED IN ASSEMBLY APRIL 21, 2015

AMENDED IN ASSEMBLY APRIL 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 761

**Introduced by Assembly Member Levine
(Coauthor: Assembly Member Chiu)**

February 25, 2015

An act to add Division 10.1 (commencing with Section 10100) to the Public Resources Code, relating to resource conservation.

LEGISLATIVE COUNSEL'S DIGEST

AB 761, as amended, Levine. Carbon sequestration: working lands.

Existing law, the Cannella Environmental Farming Act of 1995, requires the Department of Food and Agriculture to establish and oversee an environmental farming program to provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

This bill would ~~declare that \$50,000,000 shall be available, upon appropriation, to require the department~~ *department, upon an appropriation of moneys therefor*, to establish a grant program to fund voluntary projects that increase carbon sequestration and greenhouse gas emissions reductions on working lands, as defined. The bill would require the department, in consultation with the Department of Conservation, the Department of Resources Recycling and Recovery, the State Air Resources Board, and the Department of Water Resources, to develop and adopt project solicitation and evaluation guidelines for the program, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Robust, peer-reviewed, published data strongly support the hypothesis that soil and vegetation management can significantly enhance soil carbon sequestration, resulting in a wide range of environmental and agricultural cobenefits, including increased water retention in soils; improved water quality, soil health, and forage quantity and quality; reductions in greenhouse gases; and climate adaptation and resilience.

(b) Numerous soil and vegetation management strategies exist and can be employed on farms, ranches, and working lands to sequester significant amounts of carbon in agricultural soils and vegetation, thus playing an important role in helping the state meet its 2020 goal in the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) and 2050 goal in Executive Order S-3-05 for climate change mitigation and greenhouse gas reduction. These management strategies include, but are not limited to, climate beneficial practices, such as riparian restoration, prescribed grazing, windbreaks, and compost application.

(c) California's agricultural lands and rangelands account for nearly 50 percent of the state's land area, and hold the potential to sequester millions of metric tons of carbon, resulting in enhanced agricultural production and increased resilience to climate change and drought.

SEC. 2. Division 10.1 (commencing with Section 10100) is added to the Public Resources Code, to read:

DIVISION 10.1. CARBON SEQUESTRATION ON
WORKING LANDS

10100. For purposes of this division, the following terms have the following meanings:

(a) ~~“Carbon farm planning” means a landscape-level conservation planning process designed to identify greenhouse~~

1 ~~gas emissions reduction and sequestration and mitigation~~
2 ~~opportunities farming” means implementing a land management~~
3 ~~strategy for the purposes of reducing, sequestering, and mitigating~~
4 ~~greenhouse gas emissions on working lands and to quantify~~
5 ~~quantifying those greenhouse gas benefits using the United States~~
6 ~~Department of Agriculture’s COMET-Planner, COMET-Farm,~~
7 ~~and other quantification tools.~~

8 (b) “Department” means the Department of Food and
9 Agriculture.

10 (c) “Working lands” means ~~privately-owned~~ *privately owned*
11 *agricultural lands, ranches, and rangelands.*

12 10101. (a) ~~The sum of fifty million dollars (\$50,000,000) shall~~
13 ~~be available, upon appropriation by the Legislature, to~~ *Upon an*
14 *appropriation of moneys for the purposes of implementing this*
15 *division, the department to shall establish a grant program to fund*
16 *voluntary projects that increase carbon sequestration and*
17 *greenhouse gas emissions reductions on working lands consistent*
18 *with subdivision (b).*

19 (b) (1) A project shall be eligible for funding pursuant to this
20 division if both of the following criteria are met:

21 (A) Is located on working lands.

22 (B) Assists the state in meeting its greenhouse gas emissions
23 reduction goals.

24 (2) The department shall prioritize funding for projects pursuant
25 to this division that provide the greatest level of the following
26 benefits:

27 (A) ~~Demonstrate carbon farm planning.~~ *farming.*

28 (B) Sequester carbon in agricultural soils.

29 (C) *Achieve related cobenefits, including, but not limited to,*
30 *any of the following:*

31 ~~(C) Reduce~~

32 *(i) Reduced irrigation demand.*

33 ~~(D) Increase yield and productivity~~

34 *(ii) Increased yield, productivity, and resilience on working*
35 *lands.*

36 ~~(E) Enhance~~

37 *(iii) Enhanced habitat.*

38 ~~(F) Reduce~~

39 *(iv) Reduced water quality impacts from agricultural lands.*

40 *(v) Enhanced soil structure.*

1 (vi) *Protected and enhanced biodiversity.*

2 (vii) *Increased soil water-holding capacity.*

3 (c) The department, in consultation with the Department of
4 Conservation, the Department of Resources Recycling and
5 Recovery, the State Air Resources Board, and the Department of
6 Water Resources, shall develop and adopt project solicitation and
7 evaluation guidelines to implement this division.

8 (d) The department shall quantify the benefits of each project
9 funded pursuant to this division and shall post that information on
10 the department's Internet Web site.